

<b>Serial Number</b> 	Application No.	Applicant(s)
	10/035,025	PROTOPOPOV

<b>TERMINAL DISCLAIMER</b>		<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
The term of this patent shall not extend beyond the expiration date of U.S. Patent No:			
6,804,324			
The term of this patent subsequent to the adjacent date has been disclaimed.			
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Date of Deposit: September 29, 2004



PATENT  
CASE NO. 10544/169

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
Vladimir V. Protopopov )  
Serial No.: 10/035,025 ) Group Art Unit: 2882  
Filed: December 28, 2001 ) Examiner: Keaney, Elizabeth Marie  
For: DARK-FIELD PHASE )  
CONTRAST IMAGING )

**TERMINAL DISCLAIMER**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Your petitioner, Osmic, Inc., a corporation organized and existing under the laws of the State of Delaware, having a place of business in at 1900 Taylor Road, Auburn Hills, MI 48326 represents that it is the present assignee of United States Patent Application Serial No. 10/035,025, filed December 28, 2001, for DARK-FIELD PHASE CONTRAST IMAGING. United States

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Patent Application Serial No. 10/035,025 claims the benefit of priority of the filing dates of December 28, 2000 and February 28, 2001 under 35 U.S.C. § 119(e) of United States Provisional Patent Applications Serial Nos. 60/258,851 and 60/272,354, respectively. Your petitioner also represents that it is the present assignee of United States Patent Application Serial No. 09/797,498, filed March 1, 2001, for X-RAY PHASE CONTRAST IMAGING USING A FABRY-PEROT INTERFEROMETER CONCEPT.

The assignment of United States Provisional Patent Applications Serial Nos. 60/258,851 and 60/272,354 and United States Patent Application Serial No. 10/035,025 from the inventor to your petitioner occurred on March 19, 2002. The assignment was filed on April 2, 2002 to be recorded at the United States Patent and Trademark Office. The assignment to your petitioner was recorded on April 15, 2002 at the United States Patent and Trademark Office and is located at reel 012794, frames 572-574. The assignment recorded on April 15, 2002 assigns all rights in the invention disclosed in United States Provisional Patent Applications Serial Nos. 60/258,851 and 60/272,354 and United States Patent Application Serial No. 10/035,025. A copy of the above-mentioned assignment is provided herewith.

U.S. Patent Application Serial No. 09/797,498 was filed on March 1, 2001, and was entitled X-RAY PHASE CONTRAST IMAGING USING A FABRY-PEROT INTERFEROMETER CONCEPT. The assignment of United States Patent Application Serial No. 09/797,498 from the inventors to your petitioner occurred on June 1, 2001. The assignment was filed on June 11, 2001

to be recorded at the United States Patent and Trademark Office. The assignment to your petitioner was recorded on June 15, 2001 at the United States Patent and Trademark Office and is located at reel 11901, frames 837-843. The assignment recorded on June 15, 2001 assigns all rights in the invention disclosed in United States Patent Application Serial No. 09/797,498. A copy of the above-mentioned assignment is provided herewith.

Your petitioner hereby declares that no other assignments of United States Provisional Patent Applications Serial Nos. 60/258,851 and 60/272,354 and United States Patent Applications Serial Nos. 10/035,025 and 09/797,498 have occurred from June 1, 2001 to the filing of this terminal disclaimer. Accordingly, your petitioner hereby declares that it is the assignee of U.S. Patent Applications Serial Nos. 10/035,025 and 09/797,498.

Your petitioner hereby disclaims the terminal part of any patent granted on U.S. Patent Application Serial No. 10/035,025, which would extend beyond the expiration date of a patent which should issue from commonly assigned United States Patent Application Serial No. 09/797,498, and hereby agrees that any patent so granted on U.S. Patent Application Serial No. 10/035,025 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to a patent granted on U.S. Patent Application Serial No. 09/797,498, this agreement to run with any patent granted on U.S. Patent Application Serial No. 10/035,025 and to be binding upon the grantee, his successors or assigns.

Your petitioner hereby declares that evidentiary documents, including the enclosed assignment, have been reviewed in certifying that, to the best of the assignee's knowledge and

belief, title is in the assignee seeking to take action.

Your petitioner further declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

  
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John C. Freeman  
Attorney for Assignee - Osmic, Inc.

Date: September 29, 2004